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SCANNER NO. 2

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RECEIVED FEDERAL ELECTION COMMISSION SECRETARIAT

2012 SEP 11 PM 1: 12

September 11, 2012

MEMORANDUM

SENSITIVE

TO:

The Commission

THROUGH:

Alec Palmer Staff Director

FROM:

Patricia C. Orrock

Chief Compliance Officer

Debbie Chacona Assistant Staff Director
Reports Analysis Division

BY:

ிodi Wiaship/Sari Pickerall

Compliance Branch

SUBJECT:

Reason To Believe Recommendation – 2012 July Quarterly Report for the

Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2012 July Quarterly Report in accordance with 2 U.S.C. 434(a). The 2012 July Quarterly Report was due on July 15, 2012.

The committees listed in the attached RTB Circulation Report either failed to file the report,

no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

- 1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
- 2. Send the appropriate letters.

Reason to Believe Circulation Report 2012 JULY QUARTERLY Not Election Sensitive 07/15/2012 H_S_P_UNAUTH Federal Election Commission

AF#	AF# Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	₹	Threshold PV Receipt Date Days Late	Days Late	roy	RTB Penalty
2538	C00506295	2538 C00506295 BICKNELL FOR CONGRESS	BICKNELL, HUNTER	JAMES R. SHAW, JR.	\$121,335	0	8/3/2012	19	\$34,201	\$580
2539	2539 C00020453	CASS COUNTY REPUBLICAN CENTRAL COMMITTEE		TONY P. KEY \$100,231	\$100,231	-	8/9/2012	25	\$8,064	\$225

\$6,500	\$4,950	•
\$575,917	Not Filed \$120,085 (est)	•
91	Not Filed	•
7/31/2012		•
0	0	-
\$1,733,077	\$120,085 0	•
JACKIE M. \$1,733,077 0 7/31/2012	BARBARA S. SMALL	1
DAVID MARTIN	CHRISTOPHER	İ
MCINTOSH,	GARNER,	
DAVID MCINTOSH FOR INDIANA	FRIENDS OF CHRIS GARNER	:
2541 C00500173	2543 C00505628	-
2541	2543	

066\$	
\$46,103 (est)	
Not Filed	
<u> </u>	
\$138,309	
PATRICK-SHELL \$138,309 0	
LEE, JOHN JAY	
2548 C00500827 JOHN LEE FOR CONGRESS	NAADAC THE ASSOCIATION
C00500827	
2548	

\$550	\$680	\$250
\$14,149	\$33,826	\$15,813
Not Filed	24	18
8/23/2012	8/8/2012	8/2/2012
0	0	1
\$103,032	\$154,216	\$109,945
ALVIN	ROBERT L. REDDING, JR.	MARK R. PERMAR
	,	
NAADAC THE ASSOCIATION FOR ADDICTION PROFESSIONALS	NATIONAL ASSOCIATION OF FARM SERVICE AGENCY COUNTY OFFICE EMPLOYEES INC PPC AKA NASCOF PAC	PLUMBERS AND PEFITTERS LOCAL UNION 74
2551 C00293100	2552 C00413567	C00192849
2551	2552	2553

\$4,455	
\$54,655 (est)	
Not Filed	
7	
\$273,273	
BOB BEERS	
SUE LOWDEN FOR U S SENATE	
C00467761	
2556	

9/11/2012 12:59 PM

\$2,970
\$51,441 (est)
Not Filed
0
\$257.207 0
INGRID
WEBB, JAMES H JR
WEBB FOR SENATE
2560 C00430686

BEFORE THE FEDERAL ELECTION COMMISSION

in the Matter of)	
Reason To Believe Recommendation - 2012 July Quarterly Report for the Administrative Fine Program:)))	
BICKNELL FOR CONGRESS, and JAMES R SHAW JR as treasurer;	į	AF# 2538
CASS COUNTY REPUBLICAN CENTRAL COMMITTEE, and TONY P KEY as treasurer;)	AF# 2539
DAVID MCINTOSH FOR INDIANA, and JACKIE M BENNETT JR as treasurer;)	AF# 2541
FRIENDS OF CHRIS GARNER, and BARBARA S SMALL as treasurer;)	AF# 2543
	•	
JOHN LEE FOR CONGRESS, and JUDEN, RYANN PATRICK-SHELL as treasurer;)	AF# 2548
NAADAC THE ASSOCIATION FOR ADDICTION PROFESSIONALS, and ALVIN FELICIANO as treasurer;)	AF# 2551

SUE LOWDEN FOR U S SENATE, and) AF# 2556 BOB BEERS as treasurer;)

WEBB FOR SENATE, and INGRID) AF# 2560 MORROY as treasurer;)

CERTIFICATION

I, Shelley E. Garr, Deputy Secretary of the Federal Election Commission, do hereby certify that on September 12, 2012 the Commission took the following actions on the Reason To Believe Recommendation - 2012 July Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 11, 2012, on the following committees:

AF#2538 Decided by a vote of 6-0 to: (1) find reason to believe that BICKNELL FOR CONGRESS, and JAMES R SHAW JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penulty would be the amount indicated on the report; (2) and the appropriate letter. Commissionars Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2539 Decided by a vote of 6-0 to: (1) find reason to believe that CASS COUNTY REPUBLICAN CENTRAL COMMITTEE, and TONY P KEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Huater, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2541 Decided by a vote of 6-0 to: (1) find reason to believe that DAVID MCINTOSH FOR INDIANA, and JACKIE M BENNETT JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2543 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF CHRIS GARNER, and BARBARA S SMALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2548 Decided by a vote of 6-0 to: (1) find reason to believe that JOHN LEE FOR CONGRESS, and JUDEN, RYANN PATRICK-SHELL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2551 Decided by a vote of 6-0 to: (1) find reason to believe that NAADAC THE ASSOCIATION FOR ADDICTION PROFESSIONALS, and ALVIN FELICIANO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate

Federal Election Commission Certification for Administrative Fines September 12, 2012

letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2552 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL ASSOCIATION OF FARM SERVICE AGENCY COUNTY OFFICE EMPLOYEES INC PPC AKA NASCOE PAC, and ROBERT L REDDING JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2553 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and MR MARK R PERMAR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the oivil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2556 Decided by a vote of 6-0 to: (1) find reason to believe that SUE LOWDEN FOR U S SENATE, and BOB BEERS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

3092682065

AF#2560 Decided by a vote of 6-0 to: (1) find reason to believe that WEBB FOR SENATE, and INGRID MORROY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 13, 202

Deputy Secretary of the Commission



September 13, 2012

Barbara S. Small, in official capacity as Treasurer Friends of Chris Garner 550M Ritchie Hwy, #123 Severna Park, MD 21146

C00505628 AF#: 2543

Dear Ms. Small:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through June 30th, shall be filed no later than July 15th. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act parmits the FEC in imposse civil money penalties for violations of the repristing requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On September 12, 2012, the FEC found that there is reason to believe ("RTB") that Friends of Chris Garner and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before July 15th. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,950. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See http://www.fec.gov/af/af.shtml. 11 CFR § 111.34. Your payment of \$4,950 is due within forty (40) days of the finding, or by October 22, 2012, and is bosed on these fautures:

Sensitivity of Report: Not Election Sensitive

Level of Activity: \$120,085 Number of Days Late: Not Filed

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Chrose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or October 22, 2012. 11 CPR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil morney pureafty, and must include the factual basis capparting the reason(s) and supporting documentation. The FEC attendity encourages that documents be unbmitted in the form of affidavits or deplacations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these ressorably unforstment circumstances. Id. Examples of circumstances that will be considered reasonably unforesten and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking tenhnical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) megligenee; (2) delays caused by venders or contractors; (3) treasurer and staff illaess, inexperience or unavallability; (4) committee computer, software, or Internet service provider failure; (5) inthere to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(ii).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Meney Panaky and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Chris Garner and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 or seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at http://www.fec.gov/af/af.shtml. If you have quastions regarding the payment of the nelemberd civil massay penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Caroni C. Hunton

Caroline C. Hunter

Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$4,950 for the 2012 July Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission P.O. Box 979058 St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox FEC #979058 1005 Convention Plaza Attn: Government Lockbox, SL-MO-C2GL St. Louis, MO 63101

The remittance and your payment are due by October 22, 2012. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BBLOW WITH YOUR PAYMENT

FOR: Friends of Chris Garner

FEC ID#: C00505628

AF#: 2543

PAYMENT DUE DATE: October 22, 2012

PAYMENT AMOUNT DUE: \$4,950

FLOOFFICE OF ADMIN REVIEW

2012 SEP 28 PM 3: 21

Friends of Chris Garner for Senate Barbara S. Small, Treasurer 550-M Ritchie Hwy, #123 Severna Park, MD 21146-2953 RECEIVED
2012 SEP 28 AM 10: 31
FEC MAIL CENTER

September 19, 2012

Federal Election Commission Office of Adminstrative Review 999 E Street, NW Washington, DC 20463

Attention:

Carolina Cavano

Caroline Hunter Sari Pickerall

Subject: Committee ID FEC C00505628

Since the above referenced people have sent letters or emails, I am responding to all of the above senders. My candidate lost the primary election and as such we completed the 331-Report checking that the report be the final termination report. In that report, we listed that Chris Garner, our candidate, had lent the committee \$59,942.00 and \$11,491.00 was repaid. The remaining balance of \$48,451.00 was forgiven and a letter was attached. We have also attached a new letter. All of this money was from Mr. Garner's personal funds. As you can see from the reports (attached), Mr. Garner collected only \$100.00 in campaign contributions. The rest of the money was provided by Mr. Garner's personal funds. There has been no additional contributions, loans, etc. or expenditures since the 3/31/12 final statement. All additional information about my candidate can be located in his original application.

I received a letter dated September 13, 2012 in which a penalty of \$4,950.00 was assessed. I ask that this penalty be abated based on the above circumstances.

Please find enclosed your letter dated July 31, 2012 asking for the July report as well as our September 1, 2012 reply, which includes an additional letter forgiving the loan from Chris Garner. In addition, please find a copy of the email dated August 27, 2012 in which you requested a schedule A to support the loan from Chris Garner and the recognition that it was from personal funds. We have included the April termination report and added Mr. Garner's loan to schedule A. We have also enclosed your September 13, 2012 letter in which you assessed a penalty which we again request be abated.

FEC Page 2 of 2 C00505628 September 19, 2012

If there are any questions or any other information that you need, please call my husband Ronald E. Small, CPA at

Very Truly Yours,

Barbara S. Small

Treasurer, Friends of Chris Garner for Senate

Enclosures



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

July 31, 2012

RQ-7

BARBARA S SMALL, TREASURER FRIENDS OF CHRIS GARNER 590M RITCHIE HWY #123 SEVERNA PARK, MD 211462953

IDENTIFICATION NUMBER: C00505628

REFERENCE: JULY QUARTERLY REPORT 4/1/2012 - 6/30/2012

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

TT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 77578, WASHINGTON, DC 20013-7578), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR \$164.18. A COPY OF THE REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT WWW.FEC.GOV.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIA OVERNIGHT DELIVERY OR COURIER SERVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MAPTER, PLEASE CONTACT MARLENE COLUCCI AT OUR TOLL FREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

Duble Chosen a.

DEBBIE CHACONA

ASSISTANT STAFF DIRECTOR

REPORTS ANALYSIS DIVISION (RAD)

The fundo of an of an of the fundo of the fu

September 1, 2012

Federal Election Commission Secretary of the Senate 232 Hart senate Office Building Washington, D.C. 20510

Attention: Debbie Chacona Assistant Staff Director Reports Analysis Division

Identification Number: C00505628

Reference: July Quarterly Report 4/1/2012-6/30/2012

Dear Ms. Chacona

Please find the enclosed copy of our final election committee report for "Friends of Chris Garner for Senate" as well as an 8/31/2012 Letter of forgiveness for the money advanced to the committee

Note only a \$100.00 contribution was received all other money was advanced by Chris Garner and as the attached letter states this loan has been forgizen. If there is any other information necessary please let me know.

Barbara Small

Treasurer.

Friends of Chris Gamer for Senate

From: Christopher Garner 1602 Father Urban Lane Annapolis, Maryland 21409

To: Barbara Small
Treasurer Garner for Senate Campaign

This note is to document the source of the Funds used during the Garner for Senate campaign 2012.

These funds came directly from Christopher Garner (me) as a loan to the campaign. I restate also that the loan is forgiven by me.

Thank You for your Help

Sincerely

Christopher Garner

Chris Garner

From:

Federal Election Commission-(RAD) < rad@fec.gov>

Sent: To:

Monday, August 27, 2012 12:01 PM

Subject:

CHRISGARIVER@GARNERFORSENATE.COM

Important: Request for Additional Information from the Federal Election Commission



Federal Election Commission

AUG 27, 2012

Dear Treasurer/Filer,

This e-mail is being sent by the Reports Analysis Division (RAD) of the Federal Election Commission to request additional information on a report(s) or statement filed by your committee or organization. Please note that this is an automated e-mail; any response to this request for information should not be made via e-mail, as your response will not be accepted. To view the Request for Additional Information (RFAI), simply click here.

If the above link does not work, you can access the letter by copying and pasting this address into the address field of your browser:

http://fec.gov/fecletter/getLetter.do?a=1&b=12330011431&c=RAD201272798097

To ensure delivery, add rad@fec.gov to your address book.

To update your e-mail address, please file an amended Statement of Organization (FEC Form 1).

If you would prefer to receive RFAIs on paper, please file a miscellaneous document (Form 99 for electronic filers), to indicate this preference.

If you would like to view all of your filings, simply click here.

For filing information, please go to http://www.fec.gov/info/filing.shtml

If you have any questions, please contact your Campaign Finance Analyst on our toll-free number (889) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,

Federal Election Commission (FEC)

This email was sent to: CHRISGARNER@GARNERFORSENATE.COM

Your Committee ID at FEC: C00505628

FEC-RAD201272798097

This e-mail id intended only for the use of the committee/filer designated as recipient.



RQ-2

August 24, 2012

BARBARA S. SMALL, TREASURER FRIENDS OF CHRIS GARNER 550M RITCHIE HWY #123 SEVERNA PARK, MD 21146-2953

Response Due Date 09/28/2012

IDENTIFICATION NUMBER: C00505628

REFERENCE: AMENDED TERMINATION REPORT (01/01/2012 - 03/31/2012), RECEIVED 04/14/2012

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. An adequate response must be received at the Senate Public Records Office by the response date noted above. Failure to adequately respond by the response date noted above could result in an audit or enforcement action. Additional information is needed for the following 3 itmn(s):

- 1. Your committee has requested that the Commission permit your committee to terminate pursuant to 2 U.S.C. § 433(d) and 11 CFR § 102.3. In order to terminate your committee, you must file an amendment to correct these problems on your Termination Report. Once the FEC receives and approves the corrections to your report, it will notify you. Until that time, you must continue to file all required reports.
- 2. Please provide a Schedule A to support the amount reported on Line 13(a) of the Detuiled Summary Page. Each penion who reakes a loan to your committee, or to the candidate acting as an agent of the committee, must be itemized on Schedule A and Schedule C. The itemization on Schedule A must include the person's full name, mailing address and zip code, along with the name of his/her employer, his/her occupation, the date of the contribution/loan and the election cycle-to-date amount of contributions made by the person. Schedule C must include any endorser or guarantor of the loan, the date the loan was made and all other terms of the loan. If the loan is from the candidate, you must indicate whether it is from his/her personal funds, or was obtained by the candidate from a bank loan, brokerage account, credit eard, home equity line of credit or other line of credit. (2 U.S.C. §434(b)(3)(E) and 11 CFR § 104.3(a)(4)(iv))

FRIENDS OF CHRIS GARNER

Page 2 of 3

3. When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used personal funds or borrowed the money from a lending institution or some other source. Please amend your report to indicate whether the loan is from the candidate's personal funds or if he/she obtained the loan from a bank loan, brokerage account, credit card, home equity line of credit, or other line of credit.

If the candidate loan was obtained from a lending institution, you must also file a Schedule C-1 with the Commission, providing the name of the lending institution and the complete terms of the loan between the candidate and the lending institution. Schedule C-1 can be downloaded from the FEC website at http://www.fec.gov, or requested through the FEC Faxline at (202) 501-3413. Electronic filers must submit the Schedule C-1 electronically.

If the loan was from personal funds, please acknowledge that fact in an amendment to this report. It is important to note that "personal funds" is strictly defined by Commission Regulations. See 11 CFR §100.33.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may elso result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1138.

FRIENDS OF CHRIS GARNER

Page 3 of 3

Sincerely,

Carolina Cavano

Campaign Finance Analyst

Reports Analysis Division

427

Federal Election Commission Senate Office of Public Records 232 Hart Senate Office Building Washington DC 20510

April 14, 2012

3/31/12 Report
ras amended

Federal Election Commission,

This is the Signed Copy of the Federal Election Commission Report for Senate candidate, Chris Garner.

I believe I mistakenly placed my unsigned copy of this report in the mail on April 13, 2012 to the Federal Election Commission.

Barbara Small Treasurer Friends of Chris Garner for Senate

Chris Garner 1195 Baltimore Annapolis Blvd Arnold, MD 21012

TO: Friends of Chris Garner for Senate

I hereby forgive my loan to the committee, which has a balance of \$48,451.00

Chris Garner

FEC FORM 3.

13092682081

REPORT OF RECEIPTS

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5. Covering Period O.L	'' ' & i ' ' \	Ž through	83 / 27 / <u>2</u>	š/ž
I certify that I have examined this Type or Print Name of Treasurer			it is true, correct and com	pplete.
Signature of Treasurer	Barbara	S May	Date CY	1.1 20.12
NOTE: Submission of false, erroned	ous, or incomplete information	n may subject the person sign	gning this Report to the per	naities of 2 U.S.C. §437g.
Office Use Only				EC FORM 3 Revised 02/2003)

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SCHEDULE C-1 (FEC Form 3)		-	Supplementary for
LOANS AND LINES OF CREDIT FROM LE	ENDING INSTITUTION	IS	Information found on Page of Schedule 0
Federal Election Commission, Washington, D.C. 20463		•	Page or scriedule c
NAME OF COMMITTEE (In Full)		FEC II	DENTIFICATION NUMBE
	- N	c	
FRIEND OF Chris GARNEN FO	ENOTE'		
LENDING INSTITUTION (LENDER)	Amount of Loan		Interest Rate (APR)
Full Name			
NOWÉ			<u></u> %
Mailing Address	Date incurred or Established	, (m.m.)	, A.A.A.A.A.A.A.A.A.A.A.A.A.A.A.A.A.A.A.
City State Zip Code	Date Due	- ' '	لمسمعتمنا بالهمع
org, Said and Said	Date Dec	Landard	
A. Has loan been restructured? No Yes	If yes, date originally incurre	d ATA	7 7 7 7 7 7
B. If line of credit,	Total	0	•
Amount of this Draw:	Outstanding Balance:		
C. Are other parties secondarily liable for the debt incurre	ed?	•	
No Yes (Endorsers and guarantors mus	st be reported on Schedule C.)		
D. Are any of the following pledged as collateral for the leproperty, goods, negotiable instruments, certificates of stocks, accounts receivable, cash on deposit, or other No Yes If yes, specify:	deposit, chattel papers, similar traditional collateral?		r have a perfected security
E. Are any future contributions or future receipts of interes			
collateral for the loan? No Yes If yes, sp	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	What is the est	timated value?
	Location of account:		
A depository account must be established pursuant to 11 CFR 100.82(e)(2) and 100.142(e)(2).			
Date account established:	Address:		
Mam / Dad / Yayay	City, State, Zip:	<u> </u>	·
The state of the base of calledown described above we			and does not assual as
F. If neither of the types of collateral described above wa exceed the loan amount, state the basis upon which the	is pledged for this loan, or it is his loan was made and the bas	e amount pleus is on which it a	ed does not equal or ssures repayment.
	· · · · · · · · · · · · · · · · · · ·		
G. COMMITTEE TREASURER		DATE	
Typed Name Signature		ا، ليسا ا	DARLA ALARA
agradue		B	
H. Attach a signed copy of the loan agreement.		1 3 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	
I. TO BE SIGNED BY THE LENDING INSTITUTION: I. To the best of this institution's knowledge, the ten are accurate as stated above.	:	,	` : .
II. The loun was made on terms and conditions (inclessimilar extensions of credit to other borrowers of	uding interest rate) no more fav	orable at the tir	me than those imposed for
III. This institution is aware of the requirement that a complied with the requirements set forth at 11 CF	loan must be made on a basis	which assures no this loan.	repayment, and has
AUTHORIZED REPRESENTATIVE		DATE	
Typed Name		FATAN /	
Signature			
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DEBTS AND OBLIGATIONS Excluding Loans NAME OF COMMITTEE (In Full) A. Full Name (Last, First, Middle Initial) of Debtor or Creditor Mailing Address City State Zip Code Outstanding Balance Beginning This Period Amount Incurred This Period Outstanding Balance Beginning This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance at Close of This International Payment This Period Outstanding Balance At Close of This International Payment This Period Outstanding Balance At Close of This International Payment This Period Outstanding Balance At Close of This International Payment This Period	9
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Mailing Address	
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SUBTOTALS This Period This Page (optional)	riod
TOTALS This Period (last page this line number only)	riod
TOTAL OUTSTANDING LOANS from Schedule C (last page only)	priod
ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)	

FEC-FORM 3Z (File with Form 3)

CONSOLIDATION REPORT OF RECEIPTS AND DISBURSEMENTS

(To Be Used By A Principal Campaign Committee)

_		be used by A Philic		·			
:: <mark>.</mark> Ni	Name of Principal Campaign Committee (in Full) Report Covering Period: From: To:						
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	FOR SRANTE OI OI 20.7					2 03 3	20.12
-		·				1	1
		, 4, 4				(a) Line No. 11(a)	(b) Line No. 11(b)
f. ija.	Committee Name					Total Contributions From Indiv./Persons Other Than	Total Contributions From Political Party
Н	r –				•	Political Committees	Committees
A		FRIENDS (OF Chew GA	NWEN FOR J	SENATA		
		•				100	0
삡				1		/06	0
- 1		(c) Line No. 11(c)	(d) Line No. 11(d)	(e) Line No. 11(e)	(f) Line No. 12	(g) Line No. 13(a)	(h) Line No. 13(b)
		Total Contributions From Other Political	Total Contributions From The	Total Contributions	Total Transfers From Other Authorized	Total Loans Made or Guaranteed by	Tötal All Other Loans
-	_	Committees	Candidate		Committees	the Candidate .	1
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1	В	<u> </u>		/00			0
- 1		(i) Line No. 13(c)	(I) Line No. 14	(k) Line No. 15	(l) Line No. 16	(m) Line No. 17	(n) Line No. 18
.		Total Loans	. Total Offsets to Operating	Total Other	Total Receipts	Total Operating	Total Transfers to Other Authorized
L			Expenditures	Receipts		Expenditures	Committees
	٨				·	110552	
F						76.55	
E	В	59942	.0	0		运车事"	0
ľ	1	(o) Line No. 19(a)	(p) Line No. 19(b)	(q) Line No. 19(c)	(r) Line No. 20(a)	(s) Line No. 20(b)	(t) Line No. 20(c)
		Total Loan Repayments of Loans Made or	Total Loan Repayments of All Other Loans	Total Loan Repayments	Total Contribution Refunds to	Total Contribution Refunds to Political	Total Contribution Refunds to Other
L		Guaranteed by The Can- didate	Of All Other Logis	nepayments	Individuals/Persons	Party Committees	Political Committees
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. E	<u>1</u>	11491	0	11491	0	O	0
	1	(u) Line No. 20(d)	(V) Line No. 21	(w) Line No. 22	(x) . Line No. 23	(y) Line No. 27	(z)
• •	4	Total Contribution	Total Other Disbursements	Total Disbursements	Cash on Hand Beginning of	Cash on Hand	Debts & Obligations
		Refunds	Disoursements	Disburserilents	Reporting Period	Reporting Period	Committee .
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	Ī	(aa) Line No. 10	(bb) Line No. 6(c)	(cc) Line No. 7(c)	- -		
		Debts & Obligations	Net Contributions	Net Operating			
		Owed BY the Committee		Expenditures			
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FEC Form 3 (Revised 02/2003)

SUMMARY PAGE of Receipts and Disbursements

Page 2

	-Rep	FRIENDS OF	al al		TO: 03'31' Zo.12
	-		•	COLUMN A This Period	COLUMN B Election Cycle-to-Date
	5 <u>.</u> N	et Contributions (other than loans)			•
	(a) Total Contributions (other than loans) (from Line 11(e))		1,0,0,0	10,0,00
	(b) Total Contribution Refunds (from Line 20(d))			
	(c)	Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))		10, 6,0s	/.0.0.0.0
7	. No	et Operating Expenditures			·
	(a)	Total Operating Expenditures (frem Line 17)		4855200	48.552.00
/"-" \	(b)	Total Offsets to Operating Expenditures (from Line 14)			
	(c)	Net Operating Expenditures (subtract Line 7(b) from Line 7(a))		4855200	48,5,5,20,0
8.		sh on Hand at Close of porting Period (from Line 27)			0
9.	the	bts and Obligations Owed TO Committee (Itemize all on hedule C and/or Schedule D)			
10	the Scl	bts and Obligations Owed BY Committee (Itemize all on nedule C and/or Schedule D)		4.84.5.1.00	* FORGIVEN

For further information contact:

Federal Election Commission 999 E Street, NW Washington, DC 20463

Toll Free 800-424-9530 Local 202-694-1100

DETAILED SUMMARY PAGE

FEC Form 3 (Revised 12/2003)

of Receipts

Page 3

.....

Mrite or Type Committee Name

1. CONTRIBUTIONS (other than loans) FROM: (a) Individuals/Persons Other Than Political Committees (i) Itemized (use Schedule A)	Total This Period	Election Cycle-to-Date
Political Committees (i) Itemized (use Schedule A) (ii) Unitemized	1.0.0.0.0	1000
` '		
from individuals	1.0.0.0.0	
(b) Political Party Committees		
(d) The Candidate	10.0.0	/.0.0.0
. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		
LOANS: (a) Made or Guaranteed by the Candidate	59,9,42,00	59.9420
(b) All Other Loans(c) TOTAL LOANS (add Lines 13(a) and (b))	5994200	59.9420
OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
OTHER RECEIPTS (Dividends, Interest, etc.)	0	

FEC Form 3 (Revised 02/2003)

DETAILED SUMMARY PAGE

of Disbursements

Page 4

	II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
	W		8
17.	OPERATING EXPENDITURES	.48,552,00	48,552,00
	TRANSFERS TO OTHER AUTHORIZED COMMITTEES		8
	LOAN REPAYMENTS:		· ····································
	(a) Of Loans Made or Guaranteed	1149100	11 1101 00
p _e a.	by the Candidate	4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	1.1.49.1.00
	(b) Of All Other Loans		
	(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b))	1149100	11.49.1.00
	(add Lines 19(a) and (b))		
20.	REFUNDS OF CONTRIBUTIONS TO:		
	(a) Individuals/Persons Other Than Political Committees		
	(b) Political Party Committees		
•	(c) Other Political Committees (such as PACs)		
			Common Co
	(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c))	0	6
\'	(420 ±100 ±0(4), (5), ±10 (6),	hansalamadi saadi karadi mudamal karadi mada mada madi karadi karadi	
	OTHER DISBURSEMENTS		!
<u>~</u>	OTHER DISBONSEMENTS		
	TOTAL DISBURSEMENTS	6 6/12 6	(- 01/2 00
•	(add Lines 17, 18, 19(c), 20(d), and 21)	6004300	60.043.00
-			
· <u>-</u>	III. CASH SU	MMARY	·
-\\\\23. \(CASH ON HAND AT BEGINNING OF REPOR	RTING PERIOD	.00
24	TOTAL RECEIPTS THIS PERIOD (from Line 1	16, page 3)	65943.00
a identification	enter transport de la companya de l La companya de la co		
25. S	SUBTOTAL (add Line 23 and Line 24)		6004300
Sagaraga			1
2E. 1	TOTAL DISBURSEMENTS THIS PERIOD (from	n line 22)	60,043,00
	COLLE DISSONSEMENTS THIS PERIOD (IOII		
	CASH ON HAND AT CLOSE OF REPORTING	·	200
	subtract Line 26 from Line 25)	······································	The second secon
<u>ب</u> ٽس			



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

September 13, 2012

Barbara S. Small, in official capacity as Treasurer Friends of Chris Garner 550M Ritchie Hwy, #123 Severna Park, MD 21146

C00505628

AF#: 2543

4

Dear Ms. Small:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a July Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through June 30th, shall be filed no later than July 15th. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violatiens of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On September 12, 2012, the FEC found that there is reason to believe ("RTB") that Friends of Chris Garner and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on er before July 15th. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,950. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See http://www.fec.gov/af/af.shtml. 11 CFR § 111.34. Your payment of \$4,950 is due within forty (40) days of the finding, or by October 22, 2012, and is based on these factors:

Sensitivity of Report: Not Election Sensitive

Level of Activity: \$120,085 Number of Days Late: Not Filed

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to chellenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or October 22, 2012. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. Id. Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to prosent such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Pennlty and Not to Submic a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Friends of Chris Garner and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$4,950 for the 2012 July Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission P.O. Box 979058 St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox FEC #979058 1005 Convention Plaza Attn: Government Lockbox, SL-MO-C2GL St. Louis, MO 63101

The remittance and your payment are due by October 22, 2012. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Friends of Chris Garner

FEC ID#: C00505628

AF#: 2543

PAYMENT DUE DATE: October 22, 2012

PAYMENT AMOUNT DUE: \$4,950

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at http://www.fec.gov/af/af.shtml. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Caroni C. Hunten

Caroline C. Hunter

Chair



Via First Class Mail

October 2, 2012

Barbara S. Smalls, in official capacity as Treasurer Friends of Chris Garner 550M Ritchie Hwy #123 Severna Park, MD 21146

C00505628 AF#: 2543

Dear Ms. Smalls:

On September 28, 2012, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

Dayna C. Brown Reviewing Officer

Office of Administrative Review

Date: October 2, 2012

REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW CHALLENGE RECEIVED

AF#: 2543

Committee Name: Friends of Chris Garner

Committee HD#: C00505628

Committee Address (if ilifferent than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

Copy of RTB Circulation Report, dated September 11, 2012 and RTB Certification, dated September 13, 2012 (Y/N): Y

Attachment #: 1

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y
Attachment #: 2

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2012 July Quarterly Report Prior Notice, dated June 21, 2012.

-Nun-Filar Lietter, dated July 31, 2012.

-RTB Letter, dated September 13, 2012.

Attachment #: 4

Other RAD Information: (Y/N): N

Attachment#: N/A



Delivery Notification

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number:

1Z WF5 860 A2 9481 435 7

Reference Number(s): RAD, 2543

Service:

NEXT DAY AIR

Special Instructions: ADULT SIGNATURE REQUIRED

Shipped/Billed On:

09/12/2012

Delivered On:

09/14/2012 9:39 A.M.

Delivered To:

550 RITCHIE HWY

Signed By:

SEVERNA PARK, MD, US 21146 **GILL**

Location:

RECEIVER

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 09/14/2012 1:24 P.M. ET

DECLARATION OF JODI WINSHIP

- 1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
- 2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Coramission to Friends of Chris Garner:
 - A) Prior Notice, dated June 21, 2012, referencing the 2012 July Quarterly Report (sent via electronic mail to: chrisgarner@garnerforsenate.com);
 - B) Non-Filer Letter, dated July 31, 2012, referencing the 2012 July Quarterly Report;
 - C) Reason-to-Believe Letter, dated September 13, 2012 referencing the 2012 July Quarterly Report.
- 3. I hereby certify that I have searched the Commission's public records and find that Friends of Chris Garner has not yet filed the 2012 July Quarterly Report with the Commission.
- 4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 2nd day of October, 2012.

Jodi Winship

Chief, Compliance Branch Reports Analysis Division Federal Election Commission



FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES PARTIES AND PACS

June 21, 2012

CURRENT REPORT DUE

REPORT	CLOSE OF BOOKS 1	REG/CERT: & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
July Quarterly	06/30/12	07/15/12	07/15/12 2

REPORTING SCHEDULE FOR REMAINDER OF 2012

REPORT	CLOSE OF	REG/CERT & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
October Quarterly	09/30/12	10/15/12	10/15/12
Pre-General 3	10/17/12	10/22/12	10/25/12
Post-General	11/26/12	12/06/12	12/06/12
Year-End	12/31/12	01/31/13	01/31/13

Supplemental Filing Information is available:

- Congressional Committees
- Parties and PACs

Congressional Committees: the principal campaign committee of a candidate who participates in the general election must file pre-and post-general election reports. 11 CFR 104.5(a)(2).

A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

² Notice that this filing date falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for committees supporting only Senate candidates, the Secretary of Senate's) close of business on the last business day before the deadline.

³ Parties and PACs: required only if committee makes contributions or expenditures in connection with the general election during the reporting period. 11 CFR 104.5(c)(1)(ii).

2012 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set furth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2012. ²

Campaigns that raise or spend more than \$5,000 for the 2012 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2012, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104,5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See <u>11 CFR 102.3</u>. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e). See also 11 CFR 104.18 and 100.19.

- Web Page: <u>Electronic Filing Page</u>
- <u>Campaign Guide for Congressional Candidates and Committees (Candidate Guide)</u>, pp. 83-86 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e). See also 11 CFR 100.19.

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 82 [PDF]

¹ Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a). See also 11 CFR 104.5(a).

² If a candidate has more than one authorized committee, the principal campaign committee files a consolidated report on Form 3Z [PDF]. See 11 CFR 104.3(f).

PRE- AND POST-ELECTION REPORTS

The principal campaign committee of any candidate participating in a 2012 state primary, nominating convention or runoff election — even if unopposed — must also file a preelection report 12 days prior to the primary, nominating convention or runoff. The principal campaign committee of a candidate who participates in the general election must file preand post-general election reports. See 11 CFR 104.5(a)(2).

- Web Page: 2012 Congressional Pre-Primary Reporting Dates
- The Record:
 - o FEC Record Blog: Reporting
 - o January 2012 issue [PDF]
- Candidate Guide, pp. 81-82 [PDF]

48 HOUR NOTICES OF CONTRIBUTIONS

The principal campaign committee must file notices if any authorized committees receive any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running. See 11 CFR 104.5(f).

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). Campaign committees that file electronically MUST submit their 48-hour notices electronically. See 11 CFR 104.5(f).

- Web Page: Electronic Filing Page
- Web Page: Link to Paper Forms (for downloading and printing)
- Web Page: Link to Web Form 6 (for online submission)
- Form 6 Fax numbers
 - o Senate campaigns (Secretary of the Senate): (202) 224-1851
 - o House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate Guide, p. 81 [PDF]

2012 REPORTING SCHEDULE

- Web Page: 2012 Reporting Dates Page
- The Record:
 - o FEC Record Blog: Reporting
 - o January 2012 issue [PDF]
- Candidate Guide, p. 83 [PDF]

COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetury penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7-9 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers). See generally, 11 CFR Part 111 Subpart B. See also 11 CFR 111.43.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 82-83 [PDF]

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file <u>FEC Form 3L</u> [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,700 during the applicable reporting period (see page 1 of this notice). See <u>11 CFR</u> 104.22 and <u>11 CFR 110.17(f)</u>.

- The Record: March 2009 issue [PDF]
- Candidate Guide, Appendix F, pp. 155-161 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate. ⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

2012 SUPPLEMENTAL FILING INFORMATION PACS AND PARTY COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2012. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e). See also 11 CFR 104.18 and 100.19.

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

Paper Filing -- Meeting the Filing Deadline

Paper report filing options – Registered, Certified or Overnight or First Class Mail. See <u>11 CFR 104.5(e)</u>. See also <u>11 CFR 100.19</u>.

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 45-46 [PDF]; Party, p. 65 [PDF].

CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: Filing Frequency by Type of Committee
- Campaign Guide: Nonconnected, p. 51 [PDF]; SSF, p. 49 [PDF]; Party, p. 67 [PDF].

2012 REPORTING SCHEDULE

- Web Page: 2012 Reporting Dates Page
- The Record:
 - o FEC Record Blog: Reporting
 - o January 2012 issue [PDF]
- Campaign Guide: Noneonnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: 2012 Congressional Pre-Primary Reporting Dates Page
- The Record:
 - o FEC Record Blog: Reporting
 - o January 2012 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

COMPLIANCE

Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.43(b). See generally, 11 CFR Part 111 Subpart B. See also 11 CFR 111.43.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF].

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must file <u>FEC Form 3L</u> [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,700 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 11 CFR 110.17(f).

• The Record: March 2009 issue [PDF]

48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2012 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure.

See 11 CFR 104.4(b)(2) and (c). See generally, 11 CFR 104.4.

- Web Page: State-by-state chart of 2012 48- and 24-hour periods for independent expenditures
- Campaign Guide: <u>Nonconnected, pp. 72-74</u> [PDF]; <u>SSF, pp. 65-67</u> [PDF]; <u>Party, pp. 87-89</u> [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. \$20463

RQ-7

BARBARA S SMALL, TREASURER FRIENDS OF CHRIS GARNER 550M RITCHIE HWT #123 SEVERNA PARK, MD #11462953

IDENTIFICATION NUMBER: C00505628

REFERENCE: JULY QUARTERLY REPORT 4/1/2012 - 6/30/2012

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMPORTANT THAT YOU FILE THIE REPORT IMMERIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 B STEERT, N.W., WARHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 77578, WASHINGTON, DC 20013-7578), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SOBMIT THEIR REIDERS ELECTRONICALLY, AS PER 11 CFR \$104.18. A COPY OF THE REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER WELESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECRIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S EXCRIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBGITE AT WWW.FEC.GOV.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIR OVERNIGHT DELIVERY OR COURTER SERVICE.

IF YOU RAYE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT MARLENE COLUCCI AT OUR TOLL TREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS {202)694-1130.

SINCERELY,

Debit Choten a.

DEBBIE CHACONA

ABBUSTART STAFF DIRECTOR

REPORTS ANALYSIS DIVISION (RAD)

FECOFFICE OF ADMIN REVIEW

2012 OCT 24 PM 2: 43

Friends of Chris Garner for Senate

465 Century Vista Drive Arnold, MD 21012

October 17, 2012

Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Elections Commission
999 'E' Street, N. W.
Washington, DC 204693

Dear Mr. Brown:

Enclosed are the Committee Reports for the period 4/1/2012-6/30/2012. There was no activity in this period, as we filed a termination report as of 3/31/2012.

If any additional information is necessary, please let me know.

)

Sincerely,

Barbara Small

Treasurer

Encls. as noted

FEC AND DI	T OF RECEIPTS SBURSEMENTS Authorized Committee	Offic	a Use Only
1. NAME OF TYPE OR PRIN	NT ▼ Example: If typing, type over the lines.	12FE4M5	,
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C 00 5 0 5 6 28	3. IS THIS NEW REPORT (N) OR	AMENDED (A)	MAP 101
4. TYPE OF REPORT (Choose One) (a) Quarterly Reports: April 15 Quarterly Report (Q1)	(b) 12-Day PRE-Election Report for the Primary (12P)	General (12G)	Runoff (12R)
July 15 Quarterly Report (Q2) October 15 Quarterly Report (Q3)	Convention (12C)	Special (12S)	In the
January 31 Year-End Report (YE)	(c) 30-Day POST-Election Report for General (30G)		Special (30S)
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I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer RAGINE

BARGARA SMALL

Signature of Treasurer

Date 10 17 2012

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only

FEC FORM 3 (Revised 02/2003)

FESANC18

	-	FEC Form 3 (Revised 02/2003)	SUMMARY PAGE of Receipts and Disbursements	Page 2
w 	rite (or Type Committee Name	er Granad FOD So	AND TE
R	eport	Covering the Period: From:	24 01 2012	. 66 38 2012
			COLUMN A This Period	COLUMN B Election Cycle-to-Date
6.	Net	Contributions (other than loans)		
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			For further information contact:	
			Federal Election Commission 999 E Street, NW Washington, DC 20463	·
			Toii Free 800-424-9530 Local 202-694-1100	

FE-AND16

_	EC Form 3 (Revised 12/2003)	DETAILED SUMMARY PAGE of Receipts	Page 3
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1	RIRENDE OF C	Chris GARWAR FOR	KNO (F
Report C	overing the Period: From:	4 01 2012 TO	26 20 2012
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Γ	FEC Form 3 (Revised 02/2003)	DETAILED SUMMARY PAGE of Disbursements	Page 4
	II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-10-Date
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	(c) Other Political Committees (such as PACs)		The state of the s
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22.	TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21)	ti in the second of the second	Be area to observe and order to be the facility
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23.	CASH ON HAND AT BEGINNING OF REPO		
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Date Incurred Date Due	Interest Rate Interpretation of the Control of the	Secured:		
List All Endorsers or Guarantors (if any) to Loan Source				
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Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.				

SCHEDULE C-1 (FEC Form 3) LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS

Supplementary for Information found on Page of Schedule C

Federal Election Commission, Washington, D.C. 20463		Page or Schedule C
NAME OF COMMITTEE (In Full)		FEC IDENTIFICATION NUMBER
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FRIENDS OF Chris	KAR NER FOR LA	WALE 10 0 0 0 0 0 6 4 8
LENDING INSTITUTION (LENDER)	Amount of Loan	Interest Rate (APR)
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Malling Address	Date incurred or Established	MINNEY DIVERSITY
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A. Has loan been restructured? No : Yes	If yes, date originally incurre	ed
B. If fine of credit,	Total Outstanding	and the company of the control of th
Amount of this Draw:		The tolding the death of the design of the control of
C. Are other parties secondarily liable for the debt in No Yes (Endorsers and guaranters	curred? : must be reported on Schedule C	
D. Are any of the following piedged as collateral for		What is the value of this collateral?
property, goods, negotiable instruments, certificate	s of deposit, chattel papers,	government of the many of the second of the
stocks, accounts receivable, cash on deposit, or o	other similar traditional collatera!?	ing a trade of the standard and the control of the standard and the standa
No Yes If yes, specify:		Dees the lender have a perforted security
		Interest in it? No Yes
E. Are any future contributions or future receipts of in	Are any future contributions or future receipts of interest income, pledged as	
collateral for the loan? No Yes If ye	s, specify:	What is the estimated value?
		The strength of the control of the strength of
	togation of account:	
A depository account must be established pursus to 11 CFR 100.82(e)(2) and 100.142(e)(2).	nt	· · · · · · · · · · · · · · · · · · ·
Date account established:	Address:	
M M I O D I V Y Y Y	City, State, Zip:	
Santa and Santa		
F. If neither of the types of collateral described above exceed the loan amount, state the basis upon whi	re was pledged for this loan, or if ich this loan was made and the b	the amount pledged does not equal or asis on which it assures repayment.
G. COMMITTEE TREASURER		T
Typed Name		DATE JACOBOLE SANCTON AND A STANCTON AND AND AND AND AND AND AND AND AND AN
Signature		
		The second of the second of the second of
H. Attach a signed copy of the loan agreement.		
1. TO BE SIGNED BY THE LENDING INSTITUTION: 1. To the best of this institution's knowledge, it	ormation regarding the extension of the loan	
are accurate as stated above.		-
II. The loan was made on terms and conditions similar extensions of credit to other borrower		
III. This institution is aware of the requirement to	hat a ican must be made on a ba	sis which assures repayment, and has
compiled with the requirements set forth at a	11 CFH 100.62 and 100.142 in ma	
AUTHORIZED REPRESENTATIVE Typed Name		DATE Ship high ship is the property of the party of the
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B. Full Name (Last, First, Middle Initial) of Debt	or or Creditor	Nature of	Debt (Purpose):
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FEC FORM 3Z (File with Form 3)

CONSOLIDATION REPORT OF RECEIPTS AND DISBURSEMENTS

(To Be Used By A Principal Campaign Committee)

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	Committee Name					(a) Line No. 11(a) Total Contributions From Indiv/Persons Other Than Political Committees	(b) Line No. 11(b) Total Contributions From Political Party Committees
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		(c) Line No. 11(c) Total Contributions From Other Political Committees	(d) Line No. 11(d) Total Contributions From The Candidate	(e) Line No. 11(e) Total Contributions	(f) Line No. 12 Total Transfers From Other Authorized Committees	(g) Line No. 13(a) Total Loans Mede or Guaranteed by the Candidate	(h) Line No. 13(b) Yotal All Other Loans
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		(o) Line No. 19(a) Total Loan Repayments of Loans Made or Guaranteed by The Can- didate	(p) Line No. 19(b) Total Loan Repayments of All Other Loans	(q) Line No. 19(c) Total Loan Repayments	(f) Line No. 20(a) Total Contribution Refunds to Individuels/Persons	(s) Line No. 20(b) Total Contribution Refunds to Political Party Committees	(t) Line No. 20(c) Total Contribution Refunds to Other Political Committees
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		(u) Line No. 20(d) Total Contribution Refunds	(v) Line No. 21 Total Other Disbursements	(w) Line Nc. 22 Total Disbursements	(x) Line No. 23 Cash on Hand Beginning of Reporting Period	(y) Line No. 27 Cash on Hand Close of Reporting Period	(z) Line No. 9 Debts & Obligations Owed TO the Committee
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2012 NOV -5 PM 2: 25

November 5, 2012

<u>MEMORANDUM</u> -

SENSITIVE

To:

The Commission

Through:

Alec Palmer

Staff Director

From:

Patricia C. Orrock 900

Chief Compliance Officer

Dayna C. Brown

Reviewing Officer

Office of Administrative Review

Subject:

Reviewing Officer Recommendation in AF# 2543 - Friends of Chris

Garner and Barbara S. Small, ig official capacity as Treasurer,

(C00505628)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Please note that whereas the respondents were unable to terminate at the time the reason-to-believe finding was made due to missing information related to previously disclosed loans, the Reports Analyst Division has advised that they have resolved these issues. The respondents are now eligible to terminate upon the conclusion of this administrative fine matter.

Attachment



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

November 5, 2012

REVIEWING OFFICER RECOMMENDATION OFFICE OF ADMINISTRATIVE REVIEW ("OAR")

AF# 2543- Friends of Chris Garaer and Barbara S. Small, in official capacity as Treasurer (C00505628)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess no civil money penalty.

Reason-to-Believe Background

On September 12, 2012, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2012 July Quarterly Report and made a preliminary determination that the civil money penalty was \$4,950 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter, dated September 13, 2012, was mailed to the respondents' address of record by the Reports Analysis Division ("RAD") to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee of a candidate shall file a report for the period ending June 30 no later than July 15. 2 U.S.C. § 434(a)(4)(A)(i) and 11 C.F.R. § 104.5(a)(1)(i). All reports required to be filed by the principal campaign committee of a candidate for the office of U.S. Senator shall be filed with the Secretary of the Senate. 2 U.S.C. § 432(g)(1) and 11 C.F.R. § 105.2. Reports sent by certified or registered mail, Priority or Express Mail with delivery confirmation, or by an overnight delivery service with an on-line tracking system must be postmarked or deposited with the mailing service no later than July 15 to be timely filed. Reports sent by first class mail must be received by the close of business on the filing date to be timely filed. 2 U.S.C. § 434(a)(5), and 11 C.F.R. §§ 100.19(b) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On Septembar 28, 2012, the Commission received the written response ("challenge") from the Treasurer stating that following her Candidate's primary loss, they filed the March 31 report checking that the report be the final termination report. She states that this report disclosed the Candidate lending \$59,942 ef his personal funds to the Committee, with \$11,491 repaid to the Candidate. The Treasurer states that they collected only \$100 in campaign contributions, and there have been no additional contributions or expenditures since their final March 31 seport. She asks that the penalty be abstred based on these circumstances.

Included with the challenge is:

• RAD's Non-filer letter dated July 31, 2012

- A cover letter dated September 1, 2012 and Loan Forgiveness Letter dated August 31, 2012
- RAD's Request for Additional Information referencing their Amended Termination Report, emailed August 27, 2012
- A copy of their April Quarterly Termination Report, including a Loan Forgiveness Letter
- A copy of RAD's RTB Letter

Analysis

Although the respondents state that they indicated their April Quarterly Report would be their final report by checking the report's Termination box, a committee's filing obligation ends only when the Commission notifies them in writing that their termination report has been accepted. Until the Committee receives this notification, it must continue to file reports.

Commission records indicate that the respondents filed their April Quarterly Termination Report on April 13, 2012. As of June 21, the Committee's termination request had not yet been approved, therefore on this date the Commission emailed a Prior Notice for the 2012 July Quarterly Report to "chirsgarner@garnerforsenate.com," the email address listed on their Statement of Organization. Page 2 of this notice specifies that "Before a committee can stop filing with the FEC, it must file a termination report" and "continue to file reports until the Commission notifies them in writing that their termination report has been accepted." In addition to the Prior Notice, the Commission sent a non-filer notice to the respondents' address of record on July 31, 2012 informing them that they failed to file July Quarterly Report.

At the time of the RTB finding, the Commission used an estimated level of activity (\$120,085) to caiculate the fine because the report had not yet been filed. 11 C.F.R § 111.43(d)(2)(i). On October 25, 2012, the Commission received the respondents' July Quarterly Report which discloses \$0 in total receipts and \$0 in total disbursements. Since the schedule of penalties at 11 C.F.R. § 111.43(a) only provides for civil money penalties if the level of activity is \$1.00 or more, no civil money penalty should be assessed in this case.

Their challenge fails to address any of the three valid grounds at 11 C.F.R § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 itours after the end of these circumstances. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess no civil money penalty.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2543 involving Friends of Chris Garner and Barbara S. Small, in official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2543 that Friends of Chris Garner and Barbara S. Small, in official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the July Quarterly Report (\$0), assess no civil money penalty (reduced from the RTB civil money penalty of \$4,950); and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

Attachment 1 – Challenge Received from Respondents Attachment 2 – Declaration from RAD Attachment 3 – Declaration from OAR

DECLARATION OF DAYNA C. BROWN

- 1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my eapacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2. The 2012 July Quarterly Report is due July 15, 2012. Senate principal campaign committees must file reports with the Secretary of the Senate. Reports sent by first class mail are considered filed on the date of receipt.
- 3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a. Page 1 of the amended Statement of Organization filed by Friends of Chris Garner and Barbara S. Small, in official enpacity as Treasurer. According to the Commission's records, the decument was received on January 31, 2012 and lists "CHRISGARNER@GARNERFORSENATE.COM" as the Committee's email address;
 - b. Page 1 of the Summary Page and the Senate Office of Public Records postmark sheet for the 2012 April Quarterly Termination Report filed by Friends of Chris Garner for Senate and Barbara Small, in official capacity as Treasurer. According to the Commission's records, the report covers the period from Jahuary 1 through March 31, 2012, was sent on April 13, 2012 via Express Mail, and was received on April 18, 2012; and
 - c. Page 1 of the Summary Page, Pages 3 and 4 of the Detniled Summary Page, and the Senate Office of Public Records postmark sheet for the 2012 July Quarterly Report filed by Friends of Chris Garner for Senate and Barbara Small, in official capacity as Treasurer. According to the Commission's records, the report covers the period from April 1 through June 30, 2012, was sent on October 18 via first class mail, and received on October 25, 2012. Line 16, column A lists \$0.00 in total receipts for the period. Line 22, column A lists \$0.00 in total disbursements for the period.
- 4. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 5th of November, 2012.

Dayna C. Brown Reviewing Officer

Office of Administrative Review

Federal Election Commission

RECEIVED
SECRETARY OF THE SENATE
PUBLIC RECORDS

STATEMENT OF ORGANIZATION

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Use Only

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FEC FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

SECRETARY OF THE SENATE

FEC FORM 3 (Revised 02/2003)

12 APR 15 AM 11: 25

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1. NAME OF COMMITTEE (in full)	TYPE OR PRIN	τ ▼	Example: If to		12FE4M		
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				1111	1111	سلسل	لىبىل
ADDRESS (number and street)	146.5.	ENITIU	RY : V.1.5.	TALD	8	<u> </u>	لسسا
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than previously reported. (ACC)	ARINIOL	1	11.1.1.1	لىب	MQ	21,0,1,2	
2. FEC IDENTIFICATION N	UMBER ♥	CITY	, 🛦	_	STATE A	ZIP CO	ODE A
<u>C</u> 00 50 56	2.8.	3. IS THI REPOI	- 4 6	NEW N) OR	AMEN (A)		
4. TYPE OF REPORT (C)	noose One)	(b) 12-Day	PRE-Election I	Report for the	a:		
(a) Quarterly Reports:			Primary ((12P)	General	(12G)	Runoff (12R)
April 15 Quarterly	Report (Q1)		Conventi	ob (12C)	Special (1201	
July 15 Quarterly	Report (Q2)		Convent	OII (120)			
October 15 Quarte	erly Repart (O3)	Electio	n on		/ 7 7 7	In th	- 11 *
January 31 Year-E	nd Report (YE)	(c) 30-Day	POST-Election	Report for the	 he:		
			General	(30G)	Runoff (adr)	Special (30S)
Termination Repor	i (TER) 本 大	Electic		0.0	, , , , , , , , , , , , , , , , , , , ,	in th State	
5. Covering Period . O	1 61	20.1	Ž throu		3.1.		
I certify that I have examined to Type or Print Name of Treasure	_				s true, correct a	nd complete.	
Type or Frint Name of Ireasun	" <u>" DAC</u>	ARA	SMA LL	<u> </u>			13273
Signature of Treasurer			,-		Date Lu-	Li kelendi	
NOTE: Submission of false, error	neous, or incompl	ete information	may subject the	e person signi	ng this Report to	the penalties of	2 U.S.C. §437g.
Office							

DANA K. MCCALLUM SUPERINTENDENT

HART SENATE OFFICE BUILDING SUITE 232 WAEHINGTON, DC 20510-7116 PHONE: (202) 224-0322

United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

THE PRECEDING DOCUMENT WAS:
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FEDERAL EXPRESS
UPS
DHL
AIRBORNE EXPRESS
RECEIVED FROM FEDERAL ELECTION COMMISSION
Date of Receipt
POSTMARK ILLEGIBLE NO POSTMARK
FAX
Date of Receipt
OTHER Date of Receipt or Postmark
Date of Receipt or Postmark
PREPARED RD DATE PREPARED 04-18-12

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RECZIVED SECRETARY OF THE SENATE PUBLIC RECORDS

REPORT. OF RECEIPTS 25

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(Revised 02/2003)

KFCEIAEU **FEC** AND DISBURSEMENTS FORM 3 For An Authorized Committee 2012 QGI 25 00 AM 11: 43 NAME OF COMMITTEE (in full) TYPE OR PRINT Y Example: If typing, type CENTER over the lines. BLENDS OF GARLIS GARNER FOR SEMATE ADDRESS (number and street) Check if different than previously reported. (ACC) ZIP CODE CITY A STATE A 2. FEC IDENTIFICATION NUMBER V STATE ▼ DISTRICT AMENDED 3. IS THIS NEW REPORT (N) 01 4. TYPE OF REPORT (Choose One) 12-Day PRE-Election Report for the: (a) Quarterly Reports: Primary (12P) General (12G) Runoff (12R) April 15 Quarterly Report (Q1) Convention (12C) Special (12S) July 45 Quarterly Report (Q2) in the October 15 Quarterly Report (Q3) Election on State of January 31 Year-End Report (YE) (c) 30-Day POST-Election Report for the: General (30G) Runoff (30R) Special (30S) fermination Report (TER) in the Election on State of 01 20/3 5. Covering Period through I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete. BARBARA Type or Print Name of Treasurer Signature of Treasurer

NOTE: Submission of false, erroneous, or incomplete information may subject the person-signing this Report to the penalities of 2 U.S.C. \$437g. Office **FEC FORM 3** Use

FESAND18

Only

	FEC Form 3 (Revised 12/2003)	DETAILED SUMMARY PAGE of Receipts	Page 3		
Write o	Type Committee Name FLIGN C OF C	Their GARNER FOR	(ENOTE		
Report	Report Covering the Period: From: CY CO 2000 To: EG 2000				
	I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date		
11. CO	NTRIBUTIONS (other than loans) FROM:	•			
	Individuals/Persons Other Than Political Committees (i) Itemized (use Schedule A)				
	ANSFERS FROM OTHER THORIZED COMMITTEES				
13. LO/ (a)	ANS: Made or Guaranteed by the Candidate All Other Loans TOTAL LOANS (add Lines 13(a) and (b))				

16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4)......

(Refunds, Rebates, etc.)

(Dividends, Interest, etc.).....

14. OFFSETS TO OPERATING EXPENDITURES

15. OTHER RECEIPTS

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DETAILED	SUMMARY	PAGE

of Disbursements FEC Form 3 (Revised 02/2003)

	II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
	OPERATING EXPENDITURES		
19.	LOAN REPAYMENTS: (a) Of Loans Made or Guaranteed by the Candidate		
	(b) Of All Other Loans		
20.	REFUNDS OF CONTRIBUTIONS TO: (a) Individuals/Persons Other Than Political Committees		
	(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (d))		
_	OTHER DISEURSJIMENTS TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21)		
	III. CASH SU	JMMARY	
23.	CASH ON HAND AT BEGINNING OF REPO	RTING PERIOD	
24	TOTAL RECEIPTS THIS PERIOD (from Line	16, page 3)	
25.	SUBTOTAL (add Line 23 and Line 24)		
26.	TOTAL DISBURSEMENTS THIS BEIRIOD (fro	om L ine 22)	
27.	(subtract Use 26 trom Line 25)		

DANA K. MCCALLUM SUPERINTENDENT

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OVERNIGHT DELIVERY SERVICE:	
SHIPPING DATE	NEXT BUSINESS DAY DELIVERY
FEDERAL EXPRESS	
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AIRBORNE EXPRESS	
RECEIVED FROM FEDERAL ELECTION CO	DMMISSION
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FAX Date of Receipt	·
OTHER Date of Receipt or Postman	rk
	DATE PREPARED 10.25.12

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RECEIVED FEDERAL ELECTION COMMISSION SECRETARIAT

2012 NOV 29 AM 10: 55

November 28, 2012

SENSITIVE

MEMORANDUM

To:

The Commission

Through:

Alec Palmer

Staff Director /

From:

Patricia C. Orrock

Chief Compliance Officer

Rhiannon Magruder Acting Reviewing Officer

Office of Administrative Review

Subject:

Final Determination Recommendation in AF# 2543 - Friends of Chris

Garner and Barbara S. Small, in official capacity as Treasurer,

(C00505628)

On September 12, 2012, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2012 July Quarterly Report and made a preliminary determination that the civil money penalty was \$4,950 based on the schedule of penalties at 11 C.F.R. § 111.43.

On September 28, 2012, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated November 5, 2012 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. At the time of the RTB finding, the Commission used an estimated level of activity (\$120,085) to calculate the fine because the report had not yet been filed. 11 C.F.R § 111.43(d)(2)(i). On October 25, 2012, the Commission received the respondents' July Quarterly Report which discloses \$0 in total receipts and \$0 in total disbursements. Since the schedule of penalties at 11 C.F.R. § 111.43(a) only provides for civil money penalties if the level of activity is \$1.00 or more, the Reviewing Officer recommended that the Commission assess no civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2543 involving Friends of Chris Garner and Barbara S. Small, in her official capacity as Treasurer, in making the final determination;
- (2) Make final determination in AF# 2543 that Friends of Chris Garner and Barbara S. Small, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity, assess a civil penalty of \$0 (reduced from the RTB civil penalty of \$4,950); and
- (3) Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Final Determination Recommendation:)) AF 2543
Friends of Chris Garner and Barbara S.)
Small, in official capacity as Treasurer)
(C00505628))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 12, 2012, the Commission decided by a vote of 6-0 to take the following actions in AF 2543:

- 1. Adopt the Reviewing Officer recommendation for AF# 2543 involving Friends of Chris Garner and Barbara S. Small, in her official capacity as Treasurer, in making the final determination.
- 2. Make a final determination in AF# 2543 that Friends of Chris Garner and Barbara S. Small, in her official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity, assess a civil money penalty of \$0 (reduced from the RTB civil penalty of \$4,950).
- 3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

Date Date

Shawn Woodhead Werth

Secretary and Clerk of the Commission



December 19, 2012

VIA OVERNIGHT DELIVERY

Barbara S. Small, in official capacity as Treasurer Friends of Chris Garner 550M Ritchie Hwy #123 Severna Park, MD 21146

C00505628 AF# 2543

Dear Ms. Small:

On September 12, 2012, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Friends of Chris Garner and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2012 July Quarterly Report. By letter dated September 13, 2012, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$4,950 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On September 28, 2012, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission roduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that Friends of Chris Garner and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the 2012 July Quarterly Report filed October 25, 2012 (\$0), assess no civil money penalty in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on November 6, 2012.

On December 12, 2012, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Friends of Chris Garner and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the level of activity disclosed on the 2012 July Quarterly Report (\$0), assessed no civil money penalty (reduced from the RTB civil money penalty of \$4,950). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the final determination recommendation is attached.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Caroi C.HL

Caroline C. Hunter

Chair

Attachment